

GOVERNOR'S OFFICE of CRIME CONTROL & PREVENTION
The State Aid for Police Protection (SAPP) Fund Program
FY2017 Application Guidance Kit



**Electronic Application Deadline: Thursday,
October 1, 2015 – by 3pm**
**Hard Copy Submission Deadline: Thursday,
October 15, 2015 – by 3pm**

**Funded through:
State of Maryland**

Governor's Office of Crime Control & Prevention
300 East Joppa Road, Suite 1105
Baltimore, MD 21286-3016
(410) 821-2828
(877) 687-9004
www.goccp.maryland.gov

Larry Hogan, Governor
Boyd K. Rutherford, Lt. Governor
Christopher B. Shank, Executive Director

ELIGIBILITY

This is a continuation grant, intended for and to be used exclusively to provide adequate police protection in subdivisions and qualifying municipalities of Maryland. To qualify for grant funds through this program subdivisions/municipalities must: (1) be incorporated, (2) have annual expenditures for police protection in excess of \$5,000, (3) employ at least one qualified full-time officer as determined by the Executive Director, or (4) have expenditures for police protection as defined that exceed \$80,000 and employ at least two qualified part-time police officers.

GETTING STARTED

Thank you for applying for the **State Aid for Police Protection Fund (SAPP)** from the **Governor's Office of Crime Control & Prevention (GOCCP)**. SAPP funding is used exclusively to provide police protection in the subdivisions and qualifying municipalities in this State.

If you need application assistance, please contact:

Angela Carpintieri, SAPP Program Manager
Phone #: 410-821-2847
Angela.Carpintieri@maryland.gov

Laurie Rajala, Western Region Chief
Phone #: 410-821-2841
Laurie.Rajala@maryland.gov

GOCCP success is measured by sub-recipient success. It is critical that we hear from you, our customers. To share your ideas of how GOCCP can serve you better, email us at info@goccp.state.md.us.

Governor's Office of Crime Control & Prevention Mission:

GOCCP is Maryland's one stop shop for resources to improve public safety. GOCCP exists to educate, connect, and empower Maryland's citizens and public safety entities through innovative funding, strategic planning, crime data analysis, best practices research, and results-oriented customer service.

TABLE OF CONTENTS

I.	BACKGROUND	4
II.	ELIGIBILITY.....	4
III.	FUNDING GUIDELINES.....	4
IV.	APPLICATION AND FORMS REQUIREMENTS	4
	A. PROJECT TITLE	5
	B. PROJECT SUMMARY	5
	C. PROGRAM NARRATIVE	5
V.	APPLICATION SUBMISSION PROCESS.....	10
	A. ELECTRONIC SUBMISSION	10
	B. BUDGET SECTION	10
	C. HARDCOPY APPLICATION	10
	D. SIGNATURE PAGES	10
VI.	LENGTH OF AWARDS	10
VII.	POINT OF CONTACT	10

I. BACKGROUND

The State Aid for Police Protection (SAPP) program is a continuation grant intended for and to be used exclusively to provide adequate police protection in the subdivisions and municipalities of this State.

II. ELIGIBILITY

To qualify for grant funds through this program, subdivisions/municipalities must (1) be incorporated, (2) have annual expenditures for police protection in excess of \$5,000, (3) employ at least one qualified full-time officer as determined by the Executive Director, or (4) have expenditures for police protection as defined that exceed \$80,000 and employ at least two qualified part-time police officers.

III. FUNDING GUIDELINES

GOCCP is making funding available for local law enforcement agencies to provide adequate police protection in the subdivisions and municipalities of this State. Costs are shared between the State and its municipalities on an equitable basis, within certain limits related to population factors.

If the Maryland State Police (MSP) encounters difficulty obtaining the necessary crime data on a timely basis from local jurisdictions that provide the data for inclusion in the Uniform Crime Report, MSP shall notify the GOCCP. GOCCP shall withhold a portion, totaling at least 15% but no more than 50%, of that jurisdiction's SAPP grant funds upon receipt of notification from MSP.

IV. APPLICATION AND FORMS REQUIREMENTS

An electronic application must be submitted online. The forms cannot be submitted online, and must be completed, signed and mailed with the original signed grant application. We recommend that you use Firefox or Chrome internet web browser, rather than Internet Explorer. To access the online system, click on, or cut and paste, the following web-link into your internet web browser <https://grants.goccp.maryland.gov>.

There are instruction videos available online to assist you with using the online system at the following web-link <http://www.goccp.maryland.gov/gms-training/>. If you have not used the new online system to submit an application, we encourage you to view the videos prior to entering any data into the system.

Form Number 2 – Estimated Expenditures for Police Protection (Fiscal Year Ending June 30, 2016) and Form Number 3 – Municipal Sworn Officer Allocation (Fiscal year ending June 30, 2015) must be mailed to GOCCP as an attachment to the original signed hard copy of the online grant application. They are due by Thursday, October 15, 2015.

Form Number 1 – "Actual Expenditures for Police Protection (Fiscal Year Ending June 30, 2015) are due by January 15, 2016.

To access the online system, you must login to the system with an assigned User ID and Password. The information required to obtain a User ID and Password is located at <http://www.goccp.maryland.gov/grants/access-to-gms.php>. If you have questions related to accessing the system, please contact the GOCCP IT Department at support@goccp.freshdesk.com.

The following instructions are provided to guide you through entering the required text into the online system for this program.

A. PROJECT TITLE

In the project title field of the online system, type or copy and paste the following title: **State Aid for Police Protection.**

B. PROJECT SUMMARY

The project summary provides a concise summary of your proposal in 100 words or less. GOCCP has provided the project summary below to make it as simple and consistent as possible. **In the summary field of the online system, type or copy and paste the following text as your project summary and insert your agency:**

The (**your agency's name here**) State Aid for Police Protection program provides added support for law enforcement. The State Aid for Police Protection Fund is an annual formula grant intended for and to be used exclusively to provide adequate police protection in the subdivisions and qualifying municipalities of Maryland. Costs are shared between the State and its municipalities on an equitable basis, within certain limits related to population factors.

C. PROGRAM NARRATIVE

The narrative data for this program is provided below. In the narrative section of the online system, copy and paste the following text (i.e. Article 41 – on pages 5-10).

Article 41 – Governor – Executive and Administrative Departments of the Annotated Code of Maryland, Subtitle 4, Amended by 2008 General Assembly, Effective October 1, 2008.

§ 4-401. Created.

There is hereby created out of the general funds of the State a fund to be known as the State Aid for Police Protection Fund, to be used for the purpose and distributed in the manner hereinafter specified.

§ 4-402. Continuing grant; purpose; limitation on local expenditures.

(a) Continuing grant; purpose.- The State Aid for Police Protection Fund is a continuing grant, intended for and to be used exclusively to provide adequate police protection in the subdivisions and qualifying municipalities of this State, by State and subdivision sharing of costs on an equitable basis within certain limits related to population factors.

(b) Limitation on local expenditures.- Provided, however, that nothing herein shall be construed as requiring a subdivision or qualifying municipality to expend more for police protection than the greater of:

(1) The actual expenditures for police protection, as defined in § 4-403 of this subtitle, except for capital expenditures; or

(2) The sum of the amount received in State aid under this program and local funds equal to that percentage of the local wealth used in calculating the State share in basic expenditures under the provisions of § 4-403(b) (1) of this subtitle.

§ 4-403. Amount and distribution of State aid.

(a) Definitions.- As used in this subtitle:

(1) "Subdivision" means any county of Maryland but does not include Baltimore City; or where the context requires, the governing body thereof.

- (2) "Municipality" means any incorporated city or town, except Baltimore City, within Maryland; or where the context requires, the governing body thereof.
- (3) "Expenditures for police protection" shall be those for the fiscal year immediately preceding the fiscal year for which the calculation of State aid is to be made. Thus, State aid for the first year of this grant (1968-1969) shall be based on "expenditures for police protection" in the fiscal year ending June 30, 1968; State aid for the second year of this grant (1969-1970) shall be based on expenditures in the fiscal year ending June 30, 1969, and so forth. "Expenditures for police protection" means salaries and wages, other operating expenses, capital outlays from current operating funds, and properly identifiable debt service, paid for police protection. Expenditures for sheriffs and constables are included only to the extent that such officers perform police protection functions. Expenditures for traffic control, park police, and a share of the cost of a central alarm system proportionate to its police use, are included. No part of expenditures for collecting from or servicing parking meters, nor of constructing or operating jails, is included.
- (4) "Adjusted assessed valuation of real property" means 100% of the assessed valuation of the operating real property of public utilities, plus 40% of the assessed valuation of all other real property for State purposes, as reported by the State Department of Assessments and Taxation as of July 1 of the second fiscal year preceding the fiscal year for which the calculation of State aid is to be made, plus 20% of new property assessed between July 1 and December 31 of the second preceding fiscal year. "Real property" means all property classified as real property under § 8-101(b) of the Tax - Property Article.
- (5) "Net taxable income" shall be the taxable income of individuals under Title 10 of the Tax - General Article, as certified by the Comptroller of the Treasury for the third completed calendar year preceding the fiscal year for which the calculation of State aid is to be made. Thus, State aid for the first year of this grant shall be based on taxable income in calendar year 1965, and State aid in succeeding years on taxable income in corresponding succeeding calendar years.
- (6) Population figures for total number of people in a subdivision, i.e. figures used in per capita and density determinations, shall be those estimated by the State Department of Health and Mental Hygiene, as of July 1 of each year. Percentage of population residing in municipalities shall be determined from time to time by the most recently published federal decennial census data.
- (7) "Executive director" means the executive director of the Governor's Office of Crime Control and Prevention.
- (8) "Qualifying municipality" means a municipality:
1. Whose "expenditures for police protection," as defined above, exceed \$5,000; and
 - (i) That employs at least one qualified full-time police officer, as determined by the executive director; or
 - (ii) Whose "expenditures for police protection", as defined above, exceed \$80,000; and
 2. That employs at least two qualified part-time police officers, as determined by the executive director, from a county police department or county sheriff's department.
- (9) "Wealth base" of a subdivision means the sum of the "adjusted assessed valuation of real property" and "net taxable income".
- (10) "Aggregate expenditures for police protection" for a subdivision means the sum of "expenditures for police protection", as defined above, of that subdivision and of every qualifying municipality in that subdivision.
- (11) "Equivalent of X dollars per capita" means an amount of money equal to the product of X times the number of people in the particular subdivision.

(12) "Sworn officer" means:

1. A law enforcement officer certified by the Police Training Commission; or
2. A full-time probationary employee of a local government who:

(i) Is hired to attend a police training academy to become a certified law enforcement officer; and
(ii) Is in training or is functioning as a law enforcement officer pending training.

(b) Amount of grant. Subject to subsection (d) of this section, for the fiscal year beginning July 1, 2004, and thereafter, the State shall pay to each subdivision, and to each qualifying municipality, each year in the manner and subject to the limitations and requirements hereinafter provided, an amount determined as follows:

(1) Share in Basic Expenditure. If the aggregate expenditures for police protection in a subdivision equal or exceed \$6.00 per capita, the State shall pay to the subdivision the amount, if any, by which the equivalent of \$6.00 per capita exceeds 0.09% of the wealth base. If the aggregate expenditures for police protection in a subdivision are less than \$6.00 per capita, the State shall pay to the subdivision the amount, if any, by which aggregate expenditures for police protection exceed that proportion of 0.09 percent of the wealth base which aggregate expenditures for police protection bear to the equivalent of \$6.00 per capita.

(2) Share over the Basic Expenditure. In addition to the amount, if any, payable under paragraph (1) of this subsection, the State shall pay to each subdivision an amount equal to 25% of the amount, if any, by which aggregate expenditures for police protection exceed the equivalent of \$6.00 per capita. Provided however:

(i) For subdivisions with a population density less than 100 per square mile, and less than 30% of total population residing in municipalities, there shall be no payment under this paragraph.

(ii) For subdivisions with population density 100 or more but less than 500 per square mile, and for subdivisions with population density less than 100 per square mile but with 30% or more of total population residing in municipalities, payment under this paragraph shall not exceed the equivalent of \$3.50 per capita.

(iii) For subdivisions with population density 500 or more but less than 900 per square mile, payment under this paragraph shall not exceed the equivalent of \$7.50 per capita.

(iv) For subdivisions with population density 900 or more but less than 1,100 per square mile, payment under this paragraph shall not exceed the equivalent of \$8.00 per capita.

(v) For subdivisions with population density 1,100 or more but less than 1,300 per square mile, payment under this paragraph shall not exceed the equivalent of \$9.25 per capita.

(vi) For subdivisions with population density 1,300 or more but less than 8,000 per square mile, payment under this paragraph shall be 25% of the amount by which aggregate expenditures for police protection exceed the equivalent of \$6.00 per capita but do not exceed the equivalent of \$36.00 per capita and 50% of the amount by which aggregate expenditures for police protection exceed the equivalent of \$36.00 per capita but do not exceed the equivalent of \$45.50 per capita.

(vii) For subdivisions with population density 8,000 or more per square mile, payment under this paragraph shall be 25% of the amount by which aggregate expenditures for police protection exceed the equivalent of \$6.00 per capita but do not exceed the equivalent of \$36.00 per capita and 50% of the amount by which aggregate expenditures for police protection exceed the equivalent of \$36.00 per capita but do not exceed the equivalent of \$101.50 per capita.

(3) Minimum Grant. The State shall pay to each subdivision the amount, if any, by which the equivalent of \$2.50 per capita exceeds the total payments determined under paragraphs (1) and

(2) of this subsection. No subdivision for which the population estimate is less than the population estimated for the first year of this grant shall receive in any year a smaller amount of State aid for police protection than it received in any previous year, provided it has not reduced the level of expenditure for police protection which entitled it to the amount of that previous year's grant.

(4) Incentive Grant. In addition to the payments made under paragraphs (1), (2), and (3) of this subsection, the State shall pay to each subdivision with a population density of less than 500 per square mile, an amount the equivalent of \$2.00 per capita.

(5) Supplemental Grant.

(i) In addition to the payments made under paragraphs (1), (2), (3), and (4) of this subsection, the State shall pay:

1. To each subdivision, subject to subparagraph (ii) of this paragraph, an amount the equivalent of \$2.50 per capita;

2. To Baltimore City, an amount the equivalent of fifty cents per capita; and

3. To each subdivision that borders the District of Columbia, in addition to the amount required under item 1 of this subparagraph, an amount the equivalent of fifty cents per capita living in this State within 1 mile of the border.

(ii) The State shall allocate and distribute the supplemental grant to each subdivision among the subdivisions and the qualifying municipalities in those subdivisions on a per capita basis.

(6) Additional Grant. For the fiscal year ending June 30, 1981, and for each fiscal year thereafter, an additional grant equal to 10 percent of the total of the payments determined under paragraphs (1), (2), (3) and (4) of this subsection, or an amount which shall not exceed the equivalent of \$1 per capita, whichever is the larger, shall be paid to the subdivisions.

(7) Minimum Payment in Certain Years. Each subdivision shall be paid that amount, if any, by which the grant paid to the subdivision in the fiscal year ending June 30, 1984 exceeds the total payments determined under paragraphs (1), (2), (3), (4), (5) and (6) of this subsection.

(8) Municipal Sworn Officer Allocation. For fiscal year 2012 and each fiscal year thereafter, the State shall pay to each qualifying municipality, in addition to the payments made under paragraphs (1) through (7) of this subsection an amount equal to \$1,950 for each sworn police officer actually employed on a full-time basis by the qualifying municipality, as determined by the executive director.

(c) Distribution of payments received – The payment received by each subdivision under subsection (b)(1), (2), (3), (4), (6) and (7) of this section shall be paid to each subdivision and qualifying municipality, in the exact proportion which the expenditures for police protection of the subdivision and of each qualifying municipality bear to aggregate expenditures for police protection.

(d) Definitions; reduction of payments.

1. (i) In this subsection the following words have the meanings indicated.

(ii) "Crime assessment" means an amount obtained for each subdivision or Baltimore City by multiplying the percent of total Part I Crimes in the State that were committed in the subdivision or Baltimore City by 10% of the costs for the crime laboratory of the State Police as provided in the State budget for the fiscal year of the assessment.

(iii) "Part I Crimes" means the crimes reported by the State Police as Part I Crimes in the annual uniform crime report for the second completed calendar year preceding the fiscal year of the crime assessment.

(iv) "Wealth assessment" means an amount obtained for each subdivision or Baltimore City by multiplying the percent of the total wealth base of the State that is attributable to the wealth base of the subdivision or Baltimore City by 20% of the costs for the crime laboratory of the State Police as provided in the State budget for the fiscal year of the assessment.

(2) For the fiscal year beginning July 1, 2004, and for each fiscal year thereafter, the amount determined under subsection (b) of this section for each subdivision or Baltimore City shall be reduced by the sum of the crime assessment and the wealth assessment for the subdivision or Baltimore City.

§ 4-404. Manner and time of making payments.

Payments out of the State Aid for Police Protection Fund shall be made to each subdivision and qualifying municipality by the State Treasurer upon warrants of the State Comptroller. Payments shall be made at the end of each quarter of each fiscal year thereafter, and shall be paid in approximately equal amounts for each quarter to the appropriate qualifying municipality or subdivision.

§ 4-405. Finding of noncompliance.

(a) In General. If the executive director finds that a county is not complying with the maintenance of effort provisions of § 4-402 of this subtitle, the executive director shall notify the subdivision or qualifying municipality of such noncompliance.

(b) Referral of Disputes. If a subdivision or qualifying municipality disputes the finding within 30 days of the issuance of such notice, the dispute shall be promptly referred to the Secretary of the Department of Budget and Management, who shall make a final determination.

(c) Suspension of Payment of Funds. Upon receipt of certification of noncompliance by the executive director or the Secretary of the Department of Budget and Management, as the case may be, the Comptroller shall suspend, until notification of compliance is received, payment of any funds due the subdivision or qualifying municipality for the current fiscal year, as provided in § 4-403 of this subtitle, to the extent that the State's aid due the subdivision or qualifying municipality in the current fiscal year under that section exceeds the amount which the subdivision or qualifying municipality received in the prior fiscal year.

§ 4-406. Administration of Fund.

(a) In general. The executive director shall administer the State Aid for Police Protection Fund.

(b) Specific duties. The executive director shall:

(1) Certify to the Comptroller and to the subdivisions and qualifying municipalities the amount of payments to the subdivisions and qualifying municipalities; and

(2) Make such regulations and require such reports as are necessary to certify the amounts.

(c) Standards of police protection. In administering the Fund, the executive director shall:

(1) Make a continuing effort to establish standards of police protection adequate to the various local situations; and

(2) Subject to § 2-1246 of the State Government Article, report periodically to the General Assembly on progress in establishing and meeting those standards, including the payment amounts certified under subsection (b) of this section and any other relevant fiscal information.

(d) Minimum standards.- In determining qualification under § 4-403(a)(8) of this subtitle, the minimum standards determined by the Police Training Commission under authority of Title 3, Subtitle 2 of the Public Safety Article shall be applied.

(e) Rules and regulations.- The Police Training Commission shall print and distribute to all municipalities its rules and regulations setting forth the minimum standards of police qualifications.

(f) Effect of failure to meet minimum standards.

(1) In the event a municipality fails to meet the minimum standards for two successive years, the executive director shall withhold payments to the municipality with respect to the second year.

(2) Any payment withheld for noncompliance is forfeited, and the municipality for the funds may not make a claim.

V. APPLICATION SUBMISSION PROCESS

A. ELECTRONIC SUBMISSION

Follow the instructions provided in Section IV on pages four (4) through ten (10). The online application submissions are due by 3pm on Thursday, October 1, 2015.

B. BUDGET SECTION

Budget allocations are based on a calculation; therefore, this section will be completed internally by GOCCP staff. Please leave this section blank.

C. HARDCOPY APPLICATION

The original signed hard copy application with Forms 2&3 attached are due to arrive at GOCCP by 3pm on Thursday, October 15, 2015.

D. SIGNATURE PAGES

The Certified Assurances and Anti-Lobbying/Drug Free Workplace and Forms 2 & 3 signature pages must be signed in [blue ink](#) by the appropriate agency authorized official. In order for an alternate signatory to be valid, GOCCP must receive a written signed notification from the applying agency's Authorized Official (on agency letterhead) stating that an alternate signatory has been designated.

VI. LENGTH OF AWARDS

This grant application is for a one-year period that starts July 1, 2016 and ends June 30, 2017.

VII. POINT OF CONTACT

Angela Carpintieri, Program Manager
Angela.Carpintieri@maryland.gov
Office: 410-821-2847

VII. CERTIFIED ASSURANCES

This signed form must be generated by the Online Application Software

THE APPLICANT HEREBY ASSURES AND CERTIFIES THE FOLLOWING:

1. That Federal funds made available under this formula grant will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal Funds, be made available for program activities.

2. That matching funds required to pay the non-Federal portion of the cost of each project, for which grant funds are made available, shall be in addition to funds that would otherwise be made available for program activities by the recipient of the grant funds and shall be provided as required in the Grant Award document.

3. That following the first year covered by a Grant Award and each year thereafter, a performance evaluation and assessment report will be submitted to the Governor's Office of Crime Control & Prevention.

4. That fund accounting, auditing, monitoring, evaluation procedures and such records as the Governor's Office of Crime Control & Prevention shall prescribe to and shall be provided to assure fiscal control, proper management and efficient disbursement of funds received.

5. That the Grantee shall maintain such data and information and submit such reports in such form, at such times, and containing such information as the Governor's Office of Crime Control & Prevention may reasonably require to administer the program.

6. Sub-recipients will comply (and will require any sub-grantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); the Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000(d)); the Rehabilitation Act of 1973 (29 U.S.C. § 704); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. § 1681, 1683, 1685-86); the Age Discrimination Act of 1975 (42 U.S.C. § 6101-07); and the

Department of Justice (DOJ's) Equal Treatment Regulations (28 C.F.R. pt. 38).

7. That in the event a Federal or state court or administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against the Grantee, a copy of the finding will be forwarded to the Governor's Office of Crime Control & Prevention.

8. Sub-recipients that are governmental or for-profit entities, that have fifty or more employees and that receive a single award of \$500,000 or more under the Safe Streets Act or other Department of Justice (DOJ) program statutes are required to submit their Equal Employment Opportunity Plan (EEO) to the federal Office of Civil Rights (OCR). The sub-recipients are not required to submit a copy to the Governor's Office of Crime Control & Prevention (GOCCP), but must have a copy available on site for monitoring purposes. Those sub-recipients that are subject to the OCR's EEO Certification Form may access this form at: <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>.

9. That the Grantee will comply with the provisions of the Governor's Office of Crime Control & Prevention's General and Special Conditions for Grants. General Conditions are posted on GOCCP's website (<http://www.goccp.maryland.gov/grants/general-conditions.php>).

10. That the Grantee will comply with the provisions of 28 CFR applicable to grants and cooperative agreement.

11. Sub-recipients are obligated to provide services to Limited English Proficient (LEP) individuals. Refer to the DOJ's Guidance Document. To access this document see U.S. Department of Justice, Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (67 Federal Regulation 41455 (2002)). This regulation may be accessed at: <http://www.archives.gov/eo/laws/title-vi.html>

CERTIFICATION: I certify that this program will comply with the provisions set forth by the State of Maryland and the Governor's Office of Crime Control & Prevention.

This signed form must be generated by the Online Application Software

VIII. CERTIFICATION REGARDING LOBBYING

This signed form must be generated by the Online Application Software



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATION REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-Procurement) and Government-wide Requirements for Drug-free Workplace (Grants)." The certification shall be treated as a material representation of fact upon which reliance will be placed when the Department of Education determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including sub-grants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510 --

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for

commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted or otherwise criminally or civilly charged by a Government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph, (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminate for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 --

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about --

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will –

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after having received notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W. (Room 312A, GSA Regional Office Building No. 3), Washington DC 20202-4571. Notice shall include the identification number(s) of each affected grant.

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted --

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant.

Place of Performance (street address, city, county, state, zip code)

Check ☐ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 --

As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

This signed form must be generated by the Online Application Software

1. Grantee Name and Address:
2. Application Number and/or Project Name
3. Grantee IRS/Vendor Number
4. Typed Name and Title of Authorized Representative
5. Signature
6. Date

This signed form must be generated by the Online Application Software